



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 114 [2005 Senate Bill 525]

Prohibition Against Disrupting a Funeral or Memorial Service

2005 Wisconsin Act 114 prohibits certain conduct that disrupts a funeral or memorial service, or a funeral procession, and is based in part on the current statute for disorderly conduct.

The **current statute for “disorderly conduct”** makes it a Class B misdemeanor to engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance. [s. 947.01, Stats.]

2005 Wisconsin Act 114 makes it a Class A misdemeanor to do, and a Class I felony to do *with intent* after having been convicted of a prior violation for doing, any of the following:

- During a “funeral or memorial service” (defined to include a wake or burial, but not a service paying tribute to a broad group of people), as well as during the 60 minutes preceding the scheduled starting time of, or during the 60 minutes following, the service:
 - Engage in disorderly conduct within 500 feet of any entrance to a facility (defined to include a cemetery in which a funeral or memorial service takes place) being used for the service, with or without the intent to disrupt the service.
 - Block access to a facility being used for the service, with or without the intent to disrupt the service.
- Impede vehicles that the person knows are part of a funeral procession with intent to disrupt the procession, or that are part of a funeral procession if engaging in disorderly conduct.

Effective Date: Wisconsin statutes provide that, unless an act expressly prescribes the time when it takes effect, it must take effect on the day after its date of publication as designated by the Secretary of State. [s. 991.11, Stats.] The Secretary of State has designated the “Date of publication” as March 6, 2006 and has designated “Republication” as February 28, 2006.

Prepared by: Mary Offerdahl, Staff Attorney and Pam Shannon, Senior Staff Attorney

March 15, 2006

MO:PS:jal:rv

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.